# RELIGION

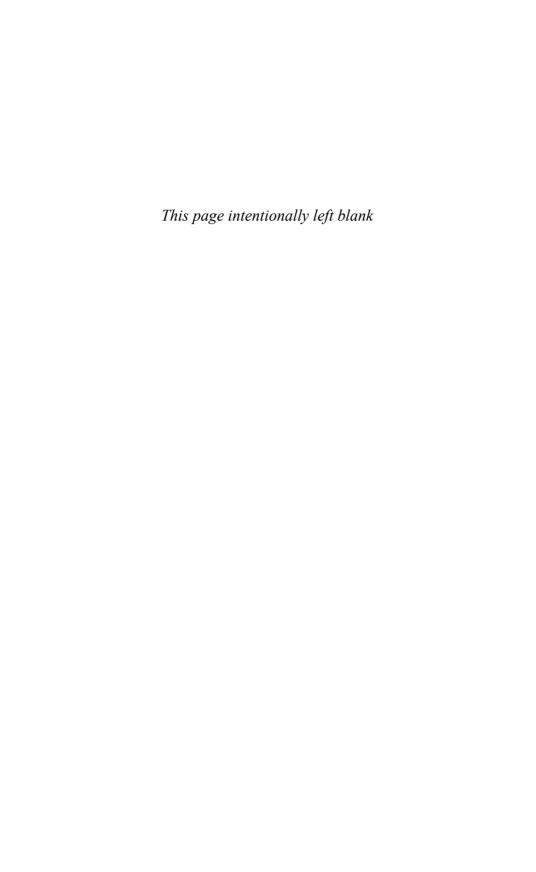
AND THE GLOBAL POLITICS OF HUMAN RIGHTS



EDITED BY

Thomas Banchoff and Robert Wuthnow

# Religion and the Global Politics of Human Rights



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THOMAS BANCHOFF and
ROBERT WUTHNOW





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Published by Oxford University Press, Inc. 198 Madison Avenue, New York, New York 10016

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Library of Congress Cataloging-in-Publication Data
Religion and the global politics of human rights/edited by Thomas Banchoff and Robert Wuthnow.
p. cm.
Includes bibliographical references and index.

ISBN 978-0-19-534339-7; 978-0-19-534338-0 (pbk.) I. Human rights—Religious aspects. I. Banchoff, Thomas F., 1964–II. Wuthnow, Robert. BL65.H78R47 2011

201'.723—dc22 2010021940

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# Acknowledgments

This book grew out of a conference held at Georgetown University's Berkley Center for Religion, Peace, and World Affairs in March 2007 on the topic "Religion and the Global Politics of Human Rights." The spirited discussions at the conference continued over the course of the following two years, as participants readied chapters for publication. We would like to thank the contributors for putting so much time, energy, and care into the case studies that make up this volume. A topic as broad as the intersection of religion, human rights, and world politics comes alive only through careful empirical research.

This is the third in a series of books published by Oxford University Press on religion and world affairs that have grown out of Berkley Center conferences. The first, *Democracy and the New Religious Pluralism* (2007), addressed the changing impact of religion on society and politics in the United States and Western Europe. The second, *Religious Pluralism, Globalization, and World Politics* (2008), extended the same themes in a more global direction. This third volume explores a critical global issue, human rights, in depth. Together, the three books are part of a wider, interdisciplinary effort to understand religion's changing role in world affairs. Like that literature as a whole, they pose key questions, try to answer them, but cannot begin to exhaust them.

This book's contribution to the wider debate would not have been possible without the wisdom and guidance of our editor, Theo Calderara. We would also like to thank Amy Vander Vliet for her research and editorial assistance, and the many colleagues at

#### viii ACKNOWLEDGMENTS

Georgetown, Princeton, and elsewhere who provided feedback at different stages in this project.

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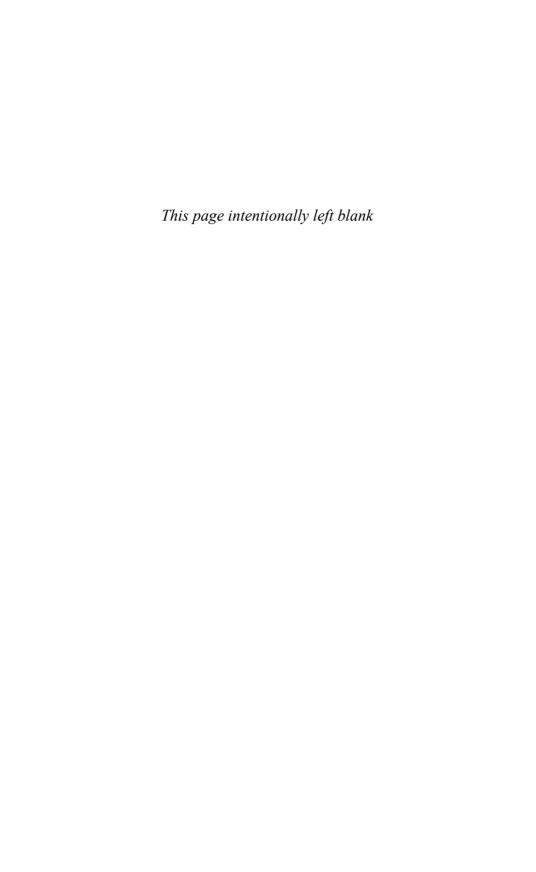
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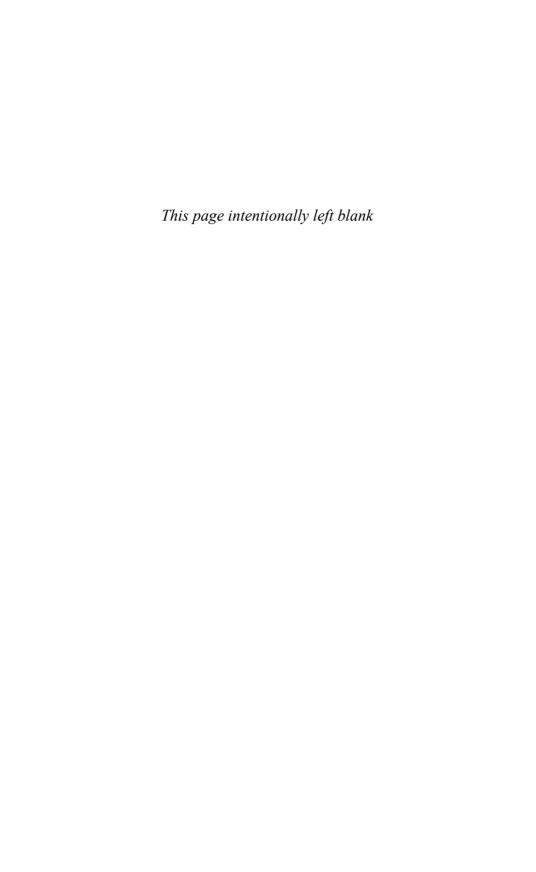
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# Religion and the Global Politics of Human Rights



# Introduction

# Thomas Banchoff and Robert Wuthnow

The democratic revolution of the past century has heightened expectations in many parts of the world about human rights, including the right of representation and free speech, protection for women and children, and fair treatment for minorities. Political and ideological struggles over human rights in the global arena have centered on several questions: Are human rights universal or the product of specific cultures? How are generally accepted values about human dignity enacted in different social and political contexts? Is democracy a necessary condition for the achievement of human rights in practice? What are the social and political mechanisms through which claims about rights and responsibilities can be made? And when, if ever, is it legitimate for external actors to exert pressure for human rights upon particular countries?

Today these questions have a salient religious dimension. The last several decades have seen a remarkable mobilization of faith-inspired actors and organizations around diverse political, social, and economic human rights agendas. The end of the cold war in 1989–91 and democratization in Latin America and parts of Africa and Asia have reduced many political constraints on religious groups. Local and national faith communities have increasingly invoked and adapted international human rights norms to their particular social and political contexts. In pressing diverse human rights agendas at the local and national level they have encountered both support and resistance from the state and other social actors. Religion and the global politics of human rights are now more intertwined than ever.

In exploring this intersection, this book breaks with the focus of the established literature on the theoretical compatibility of different traditions with human rights. In that literature scriptures, tradition, and holy law are typically mined for references to prescriptions bearing on different spheres of life, including sexuality, community, and the economy. These ethical precepts are then juxtaposed with modern notions of human rights, as expressed in democratic political theory and in international legal instruments such as the 1948 United Nations Universal Declaration of Human Rights. Conclusions are then drawn about the compatibility or incompatibility of religious traditions with human rights in general. <sup>1</sup>

This book departs from that established approach in three ways. First, it regards traditions as internally diverse. The world's major religious communities are not monolithic; they are home to running debates about the value of human rights, their meaning, and practical implications. Second, it focuses less on traditions in the abstract than on their practical engagement in politics and society. Across a range of issue areas—including Islam and women's rights, Hinduism and religious liberty, Catholicism and the death penalty, and Buddhism and minority rights—the essays in this volume trace the mobilization of religious communities in practice. Third, the book emphasizes the state policies and institutions that constrain religious engagement around human rights from one national context to the next. The interplay of religion, politics, and human rights looks very different across world regions and key countries including the United States, China, and India.

The balance of this introductory chapter is divided into four parts. A first section explores two contrasting historical narratives of religion and human rights and their contemporary implications. A second section sketches the empirical chapters as they relate to three core questions: How are human rights understood in different traditions? How do religious communities mobilize around diverse human rights agendas? How do state institutions shape the religious politics of human rights in practice? A third section elaborates four main themes that cut across the individual chapters: the centrality of religious pluralism, diverse strategies of engagement, political constraints, and the framing effects of historical narrative. A concluding section reflects on the future impact of globalization and geopolitics on religion and the global politics of human rights.

# Human Rights and Religion: Two Historical Narratives

Modern understandings of human rights assume that persons everywhere should enjoy the same rights; hence, the designation "universal." These rights include freedom from persecution, freedom to speak and assemble, and the

expectation that individuals will be treated equally, regardless of race or gender, and that their need for food, housing, and other basic necessities will be respected. Human rights are also universal in a second sense: a near-global consensus that human rights are a good thing—that there should be clear limits on what the state can do to individuals and legitimate claims that individuals can make on the state. On this shared foundation, however, controversy rages. Rights are defined differently across the political spectrum. What rights mean and how to realize them are objects of contention. And governments insist, in different ways, that the exercise and promotion of human rights not endanger public safety, order, or morality.

The place of religion in this constellation is itself controversial. Some see religion, with its authority structures and truth claims, in fundamental tension with human rights. For others, religious actors and ideas often play a critical role in the articulation and advancement of human rights in practice. Each view of the religion/human rights nexus draws on a particular understanding of history.

### The Dominant Narrative: Religion Opposes Human Rights

The still dominant story in Europe and North America goes something like this: once upon a time, long ago, humans everywhere were oppressed by cruel leaders and dictatorial ideologies that accorded little dignity to the individual and generally imposed duties on them. Slavery, exploitation, and general unhappiness resulted. Gradually, some enlightened leaders arose and some signs of hope emerged. Some basic rights were instituted—for example, in the practices of the Greek city-states and later in the Magna Carta. But ruthless monarchs continued to suppress the aspirations of ordinary people for liberty. Eventually, with the spread of markets and economic development, things began to change for the better. The American and French revolutions instituted new ideas of freedom that became beacons for people in other countries. Democracy began to spread, and while imperialism, fascism, and communism were serious setbacks, the free world prevailed during the latter half of the twentieth century. The forces of modernization were impossible to resist. Basic rights have increasingly been extended to encompass minorities, gender equality, and social and economic concerns. The struggle for human rights has been the long, upward trajectory of history.2

This familiar narrative has much to recommend it. But as a way of writing and talking about human rights it involves certain problematic assumptions about the past. Religion figures importantly among those assumptions. It is common for writers to argue that the modern conception of human rights triumphed only as traditional religious authorities eroded. These authorities and their ideologies, the argument goes, specified only duties to God and ignored

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or suppressed rights inherent in individuals. In this narrative the bloody European religious wars of the sixteenth and seventeenth centuries are best understood as clashes of opposing orthodoxies that engendered untold intolerance, cruelty, and suffering. The Enlightenment that followed eroded priestly power and superstition and enthroned human rights ideals. This story usually makes some acknowledgment that Judaism, Christianity, Islam, Buddhism, and other religions long before the modern era included ideas about respect, justice, mercy toward the poor, and so on. The idea of humanity being created in the image of God is recognized as a historical source of the idea of universal human dignity. But the dominant story is one of traditional religious authority opposed to the secular Enlightenment ideal of rational, autonomous individuals as bearers of universal rights.<sup>3</sup>

This religion opposes human rights narrative supports a particular way of thinking about the politics of human rights today. Against the historical backdrop of the religious wars and their fanaticism and destruction, citizens and their leaders are called to frame their arguments about human rights in secular, political, religion-free public language fully open to rational discussion. The closed-minded views of religionists who hear only the voice of God should be marginalized. Anyone familiar with recent discussions of human rights in the United States knows that this secularist perspective is very much alive. Students of American jurisprudence and political theory can be heard arguing that religion is traditional, thick, value-laden, and grounded in divine mandate, and as such is pitted against liberal understandings of human rights. The persistence of religion as a cultural force is acknowledged, but it is viewed mainly as an item of individual faith, on par with other beliefs adopted by autonomous individuals. Faith is not analytically distinct from other belief systems or culture more broadly. The authority claims of tradition and community are viewed with suspicion.4

This individualist and rationalist frame supports a narrow view of the politics of religion and human rights. Where religious communities are viewed as free associations of individuals, religious human rights become the rights of individuals who happen to share the same beliefs and practices. Such an individualized approach to human rights tends to approach religion through a narrow understanding of religious freedom. The freedom to have, practice, and change a religion is upheld, but the freedom of religious groups to engage in politics and push a wider human rights agenda is frowned upon. In this view it is legitimate for religious people to insist on freedom of belief and worship. But when they join with others of like mind about different policy agendas, they should do so as citizens and not as people of faith. To engage more broadly in the politics of human rights—to press their own ideas of what those rights mean and how they grow out of their traditions—is to inject religion where it does not belong and risk a sharp clash of orthodoxies that can promote intolerance, violence, and oppression.

### An Alternative Narrative: Religion Engages Human Rights

An alternative historical narrative casts the contemporary religious politics of human rights in a different light. It does not deny the negative contribution of religious exclusivism and intolerance to violence and oppression through history and up to the present. And it does not insist on a direct connection between ideas about human dignity in ancient religious traditions and contemporary human rights. But the alternative narrative does take issue with the idea of an unwavering tension between religion and human rights throughout history. The movement from the Middle Ages to Modernity via the wars of religion and the Enlightenment was not a simple story of the eclipse of religious authority by a new discourse about individual freedom, self-determination, and human rights. It is better read as the story of struggles within and across religious and nonreligious communities about how to adapt to the rise of modernity, with its markets, laws, and individualist ethos. For centuries, scholars, leaders, and followers across traditions have differed on core issues, including whether democracy—the rule of the people—is compatible with God's rule, and whether respect for the rights of individuals is compatible with duties to the wider social and moral order.5

In this alternative narrative, religion is not the villain. That role is played by all ideologies, religious or secular, that deny the basic fundamental dignity of all human beings. The problem, then, is not religious tradition or authority. Rather, it is religious extremists who reject the idea that human beings are created equal and free and deploy state power or coercive force to impose their version of orthodoxy. Since the Enlightenment, the world's leading religious traditions have been home both to reactionaries of this stripe and to reformers who emphasize basic human dignity, respect for the rights for others, and the primacy of peaceful conflict resolution over war and violence. Since the middle of the twentieth century, in the wake of two world wars and the Holocaust, reform efforts to engage human rights discourse have been in ascendance. In this alternative narrative, the 1948 Universal Declaration appears in a different light. It does not represent an assertion of universal secular rationality over and against narrow religious views, but rather the outcome of deliberation among like-minded thinkers and activists from both religious and secular backgrounds, each drawing on the elements within their traditions that emphasize universal human dignity.6

This religion engages human rights narrative, by emphasizing the complexity of the relationship, suggests a more inclusive approach to the religious politics of human rights. In the dominant secularist story, the injection of religion displaces rational reflection with traditional authority. In the alternative narrative, religious traditions provide vital resources—most centrally the belief in the transcendent equality and dignity of all human beings—for reflection on the foundations of rights and how to secure them. Tradition, from this perspective,

is a boon, not a hindrance. A source of collective identity and ethical orientation for a living community bound together by shared values, rituals, and experiences, it gives the belief in fundamental human dignity an emotional foundation it would otherwise not have. For extremists, of course, religion *is* a source of monolithic and irrational authority, a license to despise and attack outsiders. In the mainstream, however, at least since the middle of the twentieth century, and increasingly at the dawn of the twenty-first, faith traditions have become a space for a running debate on the challenges of modernity, including how to safeguard and advance human dignity amid the economic, social, and political transformations wrought by technological revolutions and globalization.<sup>7</sup>

This alternative narrative supports a greater legitimate scope for a religious politics of human rights. In the secularist narrative, religious freedom is understood as liberty of belief and worship; religious practice that spills over into political engagement is suspect. By contrast, where religion is acknowledged as a powerful source of ethical and emotional attachment to the idea of human dignity, one might expect—and even encourage—religious engagement in the public square. Religious communities are also political actors, and their freedom is political, and not just abstract or theological. Faith-inspired understanding of what human dignity demands of the state and its citizens shapes particular conceptions of economic, social, and political rights and how to pursue them. The threat of intolerance and extremism persists—for religious as for secular ideologies. But as long as the state retains its institutional autonomy from religious authorities, and faith communities seek to shape—and not dictate—politics and policy, fears that their human rights activism could encourage theocracy or sectarian violence are unfounded.

The essays in this volume are more in line with this second narrative, which highlights productive as well as contentious religious engagement with the politics of human rights. They reveal debates within and across religious traditions in which extremist advocates of theocracy and violence often play a subordinate role. They point to different patterns of practical involvement in the politics of human rights, within and across countries and regions. And they suggest that the scope and impact of religious engagement depends as much on the state and its structures as it does on the values and practices of the faith communities themselves.

THE CASE STUDIES. The nine core empirical chapters provide a global overview of the intersection of religion, politics, and human rights across four traditions (Islam, Christianity, Hinduism, and Buddhism) and major countries and world regions. A first section addresses Islam through a general overview of human rights controversies (Robert Hefner) and a specific focus on gender issues (Yvonne Haddad). A second section features regional analyses of Latin America (Paul Freston), sub-Saharan Africa (Rogaia Abusharaf), and Southeast Asia (Charles Keyes), while a final section centers on four key global powers: India

(Pratap Mehta), China (David Ownby), Russia (Marjorie Mandelstam Balzer), and the United States (Thomas Banchoff). Because the subject matter is vast, each of the chapters addresses a particular set of human rights challenges in a particular tradition, region, or country.

## Islam and the Global Politics of Human Rights

In his chapter, "Human Rights and Democracy in Islam: The Indonesian Case in Global Perspective," Robert Hefner explores the connection between Islam, democracy, and human rights in theory and practice. The idea of shari'a, or divine law, remains a touchstone in internal Muslim debates about human rights. For most of Islamic history, Hefner points out, shari`a has served not as a basis for theocracy, but rather as a religious and moral frame of reference for secular authorities to both respect and protect. Recent global surveys suggest that significant majorities of Muslims around the world continue in this mainstream tradition, supporting the idea that law and politics should unfold in accordance with shari'a, while rejecting radical calls for a theocratic Islamic state in favor of democracy and human rights. On the question of what those rights mean in practice, however, Islam is home to a fervent debate. The right to religious freedom, the rights of religious minorities, the rights of women, and the legitimacy of traditional corporal punishments are all objects of ongoing contestation that often spills over into legislative and judicial conflicts that sometimes draw global media attention.

Indonesia, the world's most populous Muslim nation, serves to illustrate some of the ambiguities at the intersection of Islam and human rights in practice. Since the revolution of 1998, the country has seen a successful democratic experiment and the institutionalization of human rights to an unprecedented degree in its history. Within this context, education policy has emerged as a particular area of contestation. Hefner traces the evolution of government-supported efforts of the State Islamic Colleges to develop programs for civic education designed to deepen Muslims' commitment to democracy and human rights. The results of a survey of educators show overwhelming support both for democracy and human rights, on the one hand, and for shari'a, on the other. For Hefner, this dual affirmation is not a contradiction, but a sincere effort to maintain and combine two sets of deeply held value commitments. Low levels of support for Islamist parties suggest space for religion in public life short of full-scale Islamization. "Rather than rushing to support programs for far-reaching legal and political change," Hefner concludes, "most voters hedge their bets, deferring until some later moment the question of just how to accommodate God's law in a democratic state."

Yvonne Haddad's chapter titled "Muslims, Human Rights, and Women's Rights" takes a different approach to the intersection of Islam, politics, and human rights. She examines a contested issue—the status of women in

Islam—and parses its historical, social, and political dimensions. From the onset of colonialism through the current war in Afghanistan, she points out, the women's issue has been a focus both of Western criticism of Islam and of Muslim resistance. In the face of external demands for reform couched in terms of universal human rights, Islamic traditionalists have insisted that their emphasis on family, honor, and respect accords women more dignity than the West's obsession with individualism, materialism, and sexuality. The Islamization of culture, society, and politics in much of the Middle East since the late 1970s has exacerbated the global politics of the issue. Leaders have rolled back some of the gains of women in areas ranging from freedom of expression to access to education and political participation, while dismissing the protests of international human rights and women's groups as cultural imperialism. And the Organization of the Islamic Conference, a grouping of more than fifty Muslim-majority countries, has articulated a specifically Muslim understanding of human rights based on divine revelation that asserts the equality of women but also upholds traditional gender roles in the family and community.

As Haddad points out, these international and national human rights dynamics are not the whole story. Over the past two decades Muslim women themselves have increasingly seized upon the issue of rights as an object of critical reflection and social and political activism. An Islamic feminism has emerged that takes issue both with Islamic traditionalism and with secular human rights norms. A series of creative scholars have argued that both the Qur'an and other early Islamic sources provide a foundation for a full women's equality at odds with their traditional subservience to men, and that Western human rights norms are both alien to Islamic culture and an instrument of Western strategic dominance. Through an analysis of three groups—Women's Learning Partnership, Women Living under Muslim Laws, and Sisters in Islam—Haddad shows how these ideas are informing practical human rights activism on the ground. National and transnational women's groups anchored in a new understanding of the Islamic tradition are advancing the cultural, economic, social, and political rights of women in practice.

# Three Regions: Latin America, Sub-Saharan Africa, and Southeast Asia

In his chapter titled "Religious Pluralism, Democracy, and Human Rights in Latin America," Paul Freston takes a "from below" perspective on the practical conduct of human rights issues among the continent's traditional Roman Catholic majority and its rapidly growing Pentecostal minority. Freston argues that the central debates about human rights that have emerged in response to Latin America's rising religious pluralism are not, as some observers anticipated, a concern over the role of international and foreign influences. They focus instead on the treatment of religious minorities. In its

evolving relationships with the state, the Roman Catholic Church since the Second Vatican Council (1962–65) has embraced universal human rights and religious freedom but has sometimes reduced its emphasis on them in view of threats to its dominance from Pentecostal organizations. The situation varies from country to country but is compounded by historical legacies of dictatorship and close church-state ties, as well as by increasing urbanization and pervasive poverty and violence in many areas. Brazil, the largest country in Latin America in terms of size and population, is at the center of Freston's analysis.

Freston views Latin America as providing an important lesson in seeking generalizations about the relationship between religion and human rights. While the situation in the region is less complicated than in many parts of the world because of the dominance of Christianity, the relative weakness of Islam and other religious traditions, and the continent's lack of direct engagement in major international conflicts, it is also marked by diverse religious perspectives on human rights, ranging from progressive liberation theology to conservative social thought in the Catholic Church, and including a wide array of different currents among Pentecostals. While Latin America as a whole has made great strides toward stronger democratic institutions, Freston argues that commitments to religious liberty are not particularly strong. Neither the Catholic Church nor the most influential Pentecostal leaders appear eager to promote genuine religious freedom of the kind that would allow but also regulate proselytization. An unknown factor is whether Pentecostalism's emphasis on individual salvation may also encourage greater involvement in political efforts to protect individual human rights.

Taking up the question of "Gender Justice and Religion in Sub-Saharan Africa," Rogaia Abusharaf's chapter examines the impact of African cultural traditions on interpretations of human rights. Like other contributors she finds considerable tension between a Western-defined notion of universal human rights and the ways in which rights are understood within particular local contexts. She also observes how the intersection of globalization and local traditions is producing emergent and unexpected ways of thinking about gender equality. Religion is especially important, she suggests, not only because of its historic role in sub-Saharan Africa or the challenges it experienced during colonialism, but also because of the rapid growth in many areas of Islam and Pentecostal Christianity. Drawing on the work of Anthony Giddens, she argues that the changes taking place amid globalization represent a kind of "disembedding" of local traditions that yields new understandings of rights and how to secure them. Her focus on controversies surrounding women's rights and female genital mutilation (FGM) illustrates how different African societies have responded to this dynamic.

Female genital mutilation is, of course, a human rights issue with a global dimension that cuts across religious and secular perspectives. Abusharaf's

analysis is especially instructive in showing how the authority of local religious leaders enables them to intervene in human rights discussions without appearing to be intrusive or interventionist. In more than one case, she finds that Muslim and Christian leaders have been able to work together across religious lines in opposition to FGM. Faith leaders, she suggests, can effectively "localize" international human rights by associating them with vernacular understandings and at the same time open these practices to "scrutiny in the light of ultimate values." Religious leaders are able to do this because they themselves are intimately familiar with local customs and because their authority within the community makes it possible for them to reframe and redefine the meanings of established practices, placing gender and sexuality in a new interpretive framework. A telling example is the Alternative Rights of Passage movement that developed in four predominantly Christian districts in Kenya.

In his chapter titled "Buddhism, Human Rights, and Non-Buddhist Minorities," Charles Keyes offers a rare empirical examination of the actual human rights practices of governments in societies in which Buddhism is the majority religion. These are Sri Lanka (formerly known as Ceylon), Burma (Myanmar), Thailand (formerly known as Siam), Cambodia, and Bhutan. Theravada Buddhism is dominant in the first four, while Vajrayāna, a tradition particularly associated with Tibetan Buddhism, is dominant in Bhutan. Although Buddhist teachings that emphasize peace, harmony, and nonviolence are compatible with universal rights claims, Keyes finds that on the ground Buddhist-majority governments have been anything but favorable toward human rights. Historically, the politics of human rights in South and Southeast Asia has played out against a backdrop of colonialism and imposed Western cultural and religious patterns. In more recent decades since independence, the central questions have come to focus on the Buddhist majority's treatment of religious minorities. For example, in Sri Lanka the government's response toward uprisings among the Tamil Hindu and Muslim minorities has been a source of long-standing controversy.

The Buddhist cases Keyes examines provide an important cautionary note to arguments suggesting that religious teachings favorable to human rights necessarily shape governments' actions. As they do in other traditions, leaders find aspects of Buddhist teachings that can be used to suppress the interests of minorities in the name of social stability. Yet, on a more hopeful note, Keyes identifies groups of Buddhists within each of the societies he examines that are seeking to promote social justice in the name of Buddhism. He, too, emphasizes the importance of variations from country to country and even within regions and local areas. Rather than seeking broad generalizations about the relationship of religion to human rights, or focusing on religious texts and traditions, this chapter points to the need for fine-grained historical analysis. As Keyes points out, contextual variation does not mean that religion is unimportant. Both those he examines who wish to suppress the rights of minorities

and those who work for social justice find legitimacy and mobilizing potential in appeals to Buddhist teachings.

# Four Key Countries: India, China, Russia and the United States

In his chapter, "Hinduism and the Politics of Rights in India," Pratap Bhanu Mehta examines the articulation of Hinduism within the country's democratic institutions. Hinduism, it has often been pointed out, is pluralistic by nature. Even so, its relationship to democratic pluralism is not unproblematic. For centuries Hinduism in India coexisted with the social hierarchies of caste, and the experience of colonialism led many to construe Western insistence on human rights as hypocritical. In the decades since independence, however, both colonialism and caste have paradoxically reaffirmed the alignment of Hinduism with democracy and human rights. The legacy of British rule and its condescension toward Hinduism reinforced the desire of Hindu leaders to appear modern and to construct their tradition as compatible with evolving international standards. At the same time, Mohandas Gandhi and others sought to outlaw caste not just because it contradicted human rights, but also because it was a blight on Hinduism in the eyes of the world.

The politics of human rights in India cannot only be understood in terms of elites grappling with the colonial legacy and seeking to establish firm and respected democratic institutions. It has also been driven from below. A key exception to the Indian embrace of Western norms—an opposition to proselytism—has roots in local resistance grounded in Hinduism's understanding of pluralism, its opposition to the idea of orthodoxy, and its view of Christian and Muslim missionary efforts as the imposition of alien values. It is at the state level, where anxiety about inroads into local communities is strongest, that antiproselytism legislation has been instituted—and upheld, in most cases, by national courts. Mehta traces two more examples of politics from below. The agitation of the lower castes for an end to discrimination has sought to mobilize the resources of the Hindu tradition against inequality and to work through local movements and the courts. A second example is Hindu nationalism, which relies on a strong network of local organizations. Like the drive to establish India as a strong democracy, Mehta argues, the concern with a single, exclusive Hindu nationalism is part of a drive for international recognition. But in this case it is the recognition of national cohesiveness and power—and not of a democratic ethos—that is sought.

In his chapter, "Religion, State Power, and Human Rights in China," David Ownby argues that human rights discourse remains marginal to the politics of religion in China, despite the efforts of the United States and international organizations to bring it in. There has been a liberalization of religious practice in China since the Cultural Revolution (1966–1976) and the country's economic

opening since 1979. By all accounts, the number of religious adherents in the country is surging, particularly within different forms of Protestant Christianity. While tolerating this development, the government has sought to carefully manage it. China recognizes freedom of belief as a human right, as well as religious practice—as long as the latter unfolds within a government-approved framework. Religious communities must be organized on a national basis, reflecting ongoing suspicion of external religious actors, a legacy of the involvement of missionaries in the colonial enterprise. And they must register with the Religious Affairs Bureau, which oversees the construction of new religious buildings, the printing of religious literature, and systems of seminaries and monasteries.

Within this structure, Ownby points out, local struggles for greater religious freedom have not focused on international human rights. The house church movement, in pressing its case for recognition, has tended to use theological rather than political arguments. And even the Dalai Lama, when discussing Tibet, is generally careful to pitch his arguments less in terms of international human rights than in terms of greater cultural autonomy. The most vocal proponents of human rights discourse are a group that faces the strongest government opposition, the Falun Gong—and it orchestrates its campaign from the West, not within China itself. Ownby argues that the ongoing dynamics of globalization, the growth of diaspora communities, and their links back to the mainland may alter these dynamics in years to come. This is particularly the case with Christianity, which is self-consciously global in its scope and aligned with international human rights movements. At the same time, he reminds us that the flowering of religion since the 1980s has gone hand in hand with the expectation that it would contribute to the stability of the country. Religious rights, like all human rights, remain subordinate to the prerogatives of state power.

Marjorie Mandelstam Balzer's chapter, "Religious Communities and Rights in the Russian Federation," provides a thorough examination of the human rights controversies centering on religion that have emerged in the former Soviet Union during the past two decades. The dominant factors influencing these controversies, she argues, are the diversity of ethnicities and administrative structures within the federation and the national government's efforts to maintain or reimpose a kind of centralized legal authority. The result is well expressed in the tension between "managed pluralism," as one rubric, and "managed nationalism," as another. Within this interplay of ethnic and political forces, the Russian Orthodox Church's relationship with the state and its dominant position in relation to other religious groups is the most important arena in which questions about religious freedom emerge. Highly symbolic gestures of respect for minority religions, such as the opening of a new synagogue or the inclusion of Muslims in a folk festival, occur against the backdrop of restrictions on religious freedom.

Like the Ownby chapter on China, Mandelstam Balzer's analysis of Russia underscores the role of state power and authority in curtailing the engagement of religious communities around human rights agendas. The Russian case presents an interesting location in which to consider the broader question of whether human rights are best conceived of as guarantees against incursions into the lives of individuals or whether a more communal understanding of human rights that acknowledges the rights of communities must be considered. As Mandelstam Balzer points out, communal rights are especially important in the post-Soviet era for Muslims, Jews, and members of religious groups with strong ethnic traditions. To impose Western definitions of human rights from the outside, she suggests, is likely to be ill-suited for the contemporary situation. She also argues that the most effective long-term guarantee of human rights is building a functioning civil society, a task to which religious groups can contribute.

In his chapter, "Human Rights, the Catholic Church, and the Death Penalty in the United States," Thomas Banchoff examines the intersection of religion and human rights within the West. For most Americans and Europeans the politics of human rights is about established democracies criticizing rights violations elsewhere. In the case of the death penalty, which has gradually and unevenly emerged as an international human rights issue since the late 1940s, the United States is an outlier. Since the Supreme Court reinstated the death penalty in 1976, more than 1,000 individuals have been executed. International condemnation of the United States has been led by European governments, which had almost all completely abolished the death penalty by the 1980s. But as Banchoff points out, human rights opposition has also emerged at a domestic level. Local chapters of the influential nongovernmental organization Amnesty International have campaigned actively against the practice across many states. But the most influential global critic of the death penalty—and a key actor in American domestic politics—has been the Roman Catholic Church.

The church, which includes some 20–25 percent of the U.S. population, gradually moved away from its traditional support for capital punishment in the decades after the Second Vatican Council of the 1960s. When Pope John Paul II came out strongly in favor of abolition in the mid-1990s, the American bishops fully integrated the issue into their human rights work. The U.S. trend away from capital punishment since the turn of the century, evident in public opinion and in successful abolition drives in New Jersey and New Mexico, has many national causes, including highly publicized cases of exoneration of death row inmates through DNAtests. It is significant, however, that a Supreme Court majority acknowledged international norms in two landmark cases that declared unconstitutional the execution of juvenile offenders and the mentally disabled. And Catholic leaders linked to global networks have been active participants in abolition drives in New Jersey, New Mexico, and elsewhere. U.S. opponents of capital punishment are still more likely to invoke a national civil

rights rather than an international human rights frame. But through the opposition of the church, foreign governments, and transnational NGOs, the issue has taken on a greater global and human rights dimension.

### **Five Overarching Themes**

Taken as a whole, the nine empirical chapters in this volume make five important contributions to the study of religion and the global politics of human rights. First, they point to the centrality of religious pluralism as an analytical starting point. Second, they illustrate a broad level of human rights engagement, well beyond a concern with religious freedom, narrowly defined. Third, the essays demonstrate the continued power of states and government institutions to define the human rights agenda domestically and constrain the activities of religious communities. Fourth, they point to the power of historical memory and competing narratives in shaping religion and the politics of human rights worldwide. And fifth, they suggest a continued role for globalization and geopolitics in shaping the intersection of religion, politics, and human rights into the future.

## Religious Pluralism as a Point of Departure

Much work on religion and human rights begins with a purported opposition between the religious and the secular or with sharp distinctions among religious traditions and what they stand for. This can lead to sweeping statements about the compatibility of human rights with religion in general, or about their compatibility with a particular tradition. Such generalizations, whatever their merit as an abstract exercise, do not map onto the reality of pluralism within traditions. In the struggle over what counts as human rights and how to pursue them, the chapters in this volume point to a wide variety of views within Christianity, Islam, Hinduism, and Buddhism.

As the chapters by Hefner and Haddad point out, Muslims are engaged in a running debate about the shari'a and its implications for human rights. A principled affirmation both of God's law as revealed in Islam *and* of democracy and human rights leaves room for debate about how both should be combined in practice. Haddad illustrates this creative tension through an examination of women's rights within Islam, a theme that Hefner also addresses. Other chapters highlight the diversity of human rights perspectives within Christianity. Latin America has long been home to different Catholic views on economic and social rights, as Freston notes, and has more recently seen controversy over whether to try to limit the rights and freedoms of surging Pentecostal groups. Debates among Catholics about the death penalty recounted in Banchoff's chapter on the United States are another example of internal controversy. As in

the case of Islam, there is a shared foundation—in this case, the idea of human dignity. But disagreement exists on whether capital punishment violates a human right or is the legitimate expression of a community's desire to punish transgressors.

In the case of Hinduism and Buddhism, religious pluralism and its effects are even more pronounced. If Christianity is the most hierarchical of the four traditions, and Islam is already considerably more decentralized, the varieties of Hinduism and Buddhism are even more pronounced. Mehta examines how Hinduism has historically been deployed both to legitimate tremendous social inequality in the form of the caste system and, in the hands of Mohandas Gandhi and other Hindu reformers, to emphasize the equal dignity and fundamental human rights of all human beings. In the case of Buddhism, the popular association is with passive contemplation or—through the example of the Dalai Lama and other well-known Buddhist leaders—social engagement for peace and justice. As Keyes points out, however, the relationship between Buddhism and human rights is far from simple. In the Buddhist-majority countries he surveys, secular leaders have often worked closely with officially recognized Buddhist authorities to discriminate against religious and ethnic minorities. Across all four religious traditions examined in this book, pluralism is a starting point for understanding the religious politics of human rights.

## Engagement across Multiple Issues

Throughout the volume, the internal diversity of traditions in grappling with human rights goes hand in hand with the diversity of human rights agendas they engage, including women's rights, capital punishment, and economic and social rights. Not surprisingly, religious communities are often most concerned with religious freedom—with the liberty of their members to profess and practice their beliefs and participate fully in society. In several of the cases explored here, the struggle for religious freedom remains the human rights focus, including those of China, Russia, and the Buddhist-majority countries of Southeast Asia. The chapter on India and Hinduism raises the question of how and whether religious freedom can be limited to protect the identity of a majority religious community through an analysis of anticonversion laws designed to prevent the targeting of the lower castes by Indian Christians and foreign missionaries.

Other chapters focus on a broader range of human rights issues. Women's rights are among the most prominent. Haddad's survey of women's issues within the Islamic world demonstrates their complexity. It goes far beyond the question of civil equality to encompass the role of women in the family and the community on matters ranging from divorce to access to education. Islamic feminism is a broad agenda that invokes specific interpretations of the Qur'an and the life and sayings of Muhammad to challenge traditional views of women's

subordination to men in Muslim-majority societies. In her chapter on women's issues in sub-Saharan Africa, Abusharaf extends the discussion of women's rights to female genital mutilation (FGM), and notes the role of religious leaders—both Muslim and Christian, and primarily male—whose condemnation of the practice has strengthened the human rights campaign against it. Of course most leadership positions in Islam—and in Christianity and Judaism—remain closed to women, itself a human rights concern. And Keyes reminds us that Buddhism in Asia has male-dominated leadership as well.

Religious advocacy of social and economic rights is most evident in the chapters by Freston and Keyes. In Latin America, campaigns for human rights have often been linked with concerns about poverty and social justice. As Freston notes, the Latin American local church produced liberation theology and grassroots organization through base communities as well as high-level interventions of the region's bishops around human rights questions, beginning with their 1968 Medellin Conference. Keyes relates the well-known examples of the peace activism of the Buddhist monk Mahā Ghosananda in Cambodia and monk-led protests in Burma, most recently in 2007. He also highlights the lesser known Sarvodaya Shramadana Movement in Sri Lanka, which grew from an early focus on Buddhist values in rural development in the 1950s into a major advocate for social justice, human rights, and inclusion. In opposition to Buddhist nationalists, Sarvodaya Shramadana has supported "a national identity that transcends ethnic or religious identity, and recognizes Sri Lanka's multi-ethnic, multi-religious character."

## The Constraints of State Institutions

As the chapters make clear, the end of the cold war and globalization have not brought a much anticipated golden age for human rights around the world. The global trend toward liberalization and democratization that began in the 1980s has suffered setbacks in China and Russia, in much of the Middle East, and in the many dictatorships and failed states across the developing world. The idea that globalization would erode state power over time and usher in a transnational era marked by peace and the spread of democracy and human rights has also suffered a blow. While several of the chapters acknowledge the importance of transnational religious and human rights groups, they also underscore the centrality of the nation-state and the capacity of state institutions to both define human rights regimes and to constrain human rights activism within their borders.

China and Russia provide the two most telling examples of this trend. China's economic and cultural opening during the post-Mao era has not gone hand in hand with a parallel political liberalization. While religious groups have been allowed to exist and grow, they remain subject to state regulation and must recognize the leading role of the Communist Party in Chinese society.

Russia is no longer a one-party state, but it has reemerged as a centralized autocracy under the leadership of Vladimir Putin who, first as president and then as prime minister, enjoys considerable public support. The Russian approach to religious management is less rigorous than that of the Chinese, but it is also aimed at reducing the public role of religious communities—outside the officially favored Russian Orthodox Church—often in the name of national security. The potential threat posed by militant Islam is a particular concern of both regimes. In this setting, as both Ownby and Mandelstam Balzer point out, faith-inspired human rights activists have little room to maneuver. For example, the efforts of transnational human rights networks to press the concerns of Falun Gong members in China or of Baptist missionaries in Russia have little chance of success.

In many Muslim-majority countries, too, state power places strictures on both human rights and the political activism of religious communities. Haddad recounts how dictatorships in the Arab world have seized upon the idea of a specifically Islamic understanding of human rights to fend off Western criticism of their nondemocratic practices. Hefner points to some fault lines in the recent Muslim-majority democracies of Southeast Asia, such as Indonesia and Malaysia, where human rights norms officially endorsed by the state are in tension with traditionalist practices on issues such as apostasy and women's rights—practices sometimes tolerated by political and judicial elites. The Mehta chapter notes a similar trend in India, where Hindu nationalists identify with the country's democratic constitution but back legislation, including anticonversion laws, that constrains the rights of ethnic and religious minorities within the country.

## The Force of Historical Narratives

An earlier section of this chapter discussed the contemporary salience of deep historical narratives about religion and human rights. The chapters themselves illustrate the force of historical memory at the national level as well. The politics of human rights is not just about whether a particular state should adopt an abstract rights catalog, and how it should do so. This politics is shaped on many levels by the historical associations of the concept. In North America and Western Europe, the association is generally positive; the turn to human rights coincided historically with the transition to democracy. Outside the Atlantic area, however, the idea of human rights is often associated with the era of colonialism, when human rights discourse was used both to denigrate non-Western cultures and to obscure the self-serving domination of colonial rule. If anything, the religious dimension of current human rights politics only strengthens negative associations for many for whom Western colonialism went hand in hand with missionary expansion, and the gospel of democracy, rights, and the rule of law was closely linked with the (foreign) gospel of Christ.

The actual historical role of missionaries in imperialism, in all its complexity, is largely beside the point. The narrative of colonial-Christian domination shapes today's politics at the intersection of religion and human rights.

China provides perhaps the most clear-cut example of this phenomenon. As Ownby demonstrates, the century of foreign domination from the Opium Wars through the Communist revolution left a strong association of colonialism with foreign mission activity. Concern about foreign involvement and political instability, rooted in historical memory, sheds light on the reasons why Western human rights and religious freedom criticisms are rejected as unwarranted interference in Chinese domestic affairs. It also explains the caution with which religious communities in China have sought to press their rights claims. House church leaders, Ownby points out, have often defended their opposition to state registration on theological, not political grounds. The Buddhist-majority autocracies that Keyes describes also justify their repression of religious and ethnic minorities with a historical narrative of resistance to colonialism. As early as the 1920s, he argues, a Buddhist nationalism emerged "predicated less on traditional Buddhist ideas about the sociopolitical order than on reforms of Buddhist thought in response to Western religious and cultural influence."

The colonial legacy has had a different impact in India and Latin America. While it explains the defensive Indian reaction to foreign criticism of caste and anticonversion laws as human rights violations, the colonial legacy has also strengthened overall identification with democracy in the country. Over time, exposure to Western ideas of human rights and individual freedoms has sparked a desire to endorse and even embrace the Western human rights regime. As Mehta argues, "Hinduism became aware that if it failed to claim as its own certain values identified with progressive modernity, it would always remain vulnerable to both criticism by outsiders and inner defections by its own adherents." In Latin America, Freston points out, the historical association of autocracy with the Catholic Church and Western economic and security presence initially generated opposition to the idea of human rights. Leading liberation theologians, for example, viewed human rights "as a kind of Trojan Horse for imperialism or an individualistic First World luxury that should be corrected by a stress on economic rights." Over time, however, "much of the hostility to the concept of human rights dissipated as increasingly brutal dictatorships mobilized broad-based opposition."

The most powerful evidence of a postcolonial legacy may be the Muslim world, particularly in North Africa and the Middle East, where efforts to advance human rights are often discredited through their widespread association with the United States and its allies. As Yvonne Haddad points out in her chapter, efforts to advance women's rights in Muslim-majority countries are often dismissed as an assault on Islam itself and part of a historical trend that can be traced back more than a century. Abusharaf gives examples of defenders of

FGM in Muslim-majority countries invoking time-honored "national traditions" against human rights advocates they associate with external imperialism. In Hefner's chapter, which combines an overview of human rights controversies within Islam and an examination of the Indonesian case in particular, the legacy of colonial rule continues to shape the politics of human rights as well.

### Looking Forward: Globalization and Geopolitics

Taken together, the empirical studies in this volume make the case for an understanding of religion and the global politics of human rights that is attentive to pluralism within traditions, diverse human rights agendas, state structures and policies, and the political force of historical narratives. The idea that globalization, with its flows of ideas and people and its individualist ethos, would smoothly transmit human rights discourses around the world and drive their adoption, as if by popular acclaim, has proved illusory. Human rights remain contested; what they mean, which are decisive, and how they are to be implemented are objects of ongoing struggle within national contexts. Religious actors, ideas, and issues have shaped the politics of human rights in varied ways, often on both sides of a particular controversy. But they, too, have had mainly a country-level impact.

Still, as the chapters make clear, international context matters. Competition for economic and security advantage among states—the geopolitical dimension of globalization—has shaped the global politics of human rights in significant ways. Efforts of the world's only superpower, the United States, to spread democracy to Afghanistan and then Iraq by force of arms, has both strengthened national advocates of human rights in both societies and made them vulnerable to charges of collaborating with a foreign occupier. U.S. criticism of the human rights and religious freedom records of states like China and Russia, even when not backed by credible threats, has sometimes had an effect on those governments' policies—if not always the one intended. And an upsurge of Hindu and Buddhist nationalism in South and Southeast Asia over the last two decades shows that a desire to project a cohesive religious and cultural national identity in international competition can have a negative impact on human rights domestically.

As the global balance of power shifts away from U.S. predominance toward multipolarity in the years to come, the national and international politics of religion and human rights may take a different turn. With U.S. and European power receding in relative terms, new rising powers may more self-confidently proclaim their own conceptions of human rights as universally valid. An individualist emphasis on political freedoms on the U.S. model may be challenged by a neo-Confucian emphasis on family and community emanating from China or Buddhist-majority countries. More independent Muslim-majority

countries may further develop the idea of a specifically Islamic understanding of human rights, partly in response to domestic pressures and partly to signal their greater political independence from the West. And the United States and Western Europe, their relative power in decline, may show less interest in the fate of their human rights discourse abroad and draw less on the idea of universal human rights in seeking to improve their own societies.

In all these scenarios, the global politics of human rights will persist, even as it pushes in new directions. One reason is institutional. While globalization has not seen the automatic spread of the idea and reality of human rights around the world, it has seen the gradual emergence of an international human rights regime—a series of declarations and conventions that develop human rights as part of international law. This regime, which can be traced back to the 1948 Universal Declaration of Human Rights, cannot be imposed on sovereign states. But it does provide a vital resource for supporters of human rights, religious and secular, struggling to advance their agendas at the national and local level. Because it is institutionalized on the global level, the idea of universal human rights is unlikely to fade. We can expect members of the world's faith communities, like nonreligious leaders and citizens, to continue to invoke the international human rights regime as a political resource in their national struggles. As a backdrop for the empirical studies that follow, a second introductory chapter traces the emergence and evolution of that regime as a framework for the global politics of human rights.

#### NOTES

- I. For overviews of the literature on religion and human rights, see John Witte and Johan D. Van Der Vyver, eds., *Religious Human Rights in Global Perspective*: *Religious Perspectives* (Grand Rapids, MI: Eerdmans, 2000); Irene Cohen, J. Paul Martin, and Wayne Proudfoot, *Religious Diversity and Human Rights* (New York: Columbia University Press, 1996); and Michael J. Perry, *The Idea of Human Rights: Four Inquiries* (New York: Oxford University Press, 2000). For approaches to Islam that acknowledge its diversity with respect to human rights, see Abdullahi An-Na'im, *Islam and Human Rights*, ed. Mashood A. Baderin (Farnham, UK: Ashgate, 2010) and Abdulaziz Sachedina, *Islam and the Challenge of Human Rights* (New York: Oxford University Press, 2009).
- 2. On the narrative of rationalist progress and its roots in the Enlightenment, see Carl L. Becker, *The Heavenly City of the Eighteenth-century Philosophers* (New Haven, CT: Yale University Press, 1962).
- 3. This line of thought can be traced from Voltaire to Jacob Burckhardt. Exemplary is Jacob Burckhardt, *The Civilization of the Renaissance in Italy* (New York: Harper and Row, 1958). See also Owen Chadwick, *The Secularization of the European Mind in the Nineteenth Century* (New York: Cambridge University Press, 1976).
- 4. The work of John Rawls has been most influential here. See, in particular, his *A Theory of Justice* (New York: Oxford University Press, 1973).

- 5. Charles Taylor has emphasized the diversity of religious responses to modernity in his *A Secular Age* (Cambridge, MA: Harvard University Press, 2007).
- 6. Mary Ann Glendon, A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights (New York: Random House, 2002).
- 7. For a discussion of diverse religious responses to the constraints and opportunities of globalization, see Thomas Banchoff, ed., *Globalization, Religious Pluralism, and World Politics* (New York: Oxford University Press, 2008).

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